



STATE OF MONTANA DEPARTMENT OF REVENUE JOB PROFILE

Working Title

Liquor Licensing and Compliance Specialist

Job Code Title

Compliance Specialist

Pay Band

05

Job Code Number

131415

Liquor Control Division

Liquor Licensing Bureau

Fair Labor Standards Act

Non-Exempt

The Montana Department of Revenue administers more than 30 state taxes and fees; establishes values for taxable property, including agricultural land, residential real estate, commercial real estate, forest land, business equipment, railroads and public utilities; supervises the operation of the state liquor stores and agencies and administers the laws governing the sale, taxation, and licensing of alcoholic beverages; and returns unclaimed property to its rightful owners.

The Liquor Control Division administers the state's Alcoholic Beverage Code which governs the control, sale, and distribution of alcoholic beverages. The division provides customer service with a focus on public safety to ensure a safe, orderly, and regulated system for the convenient distribution and responsible consumption of alcoholic beverages. The Liquor Control Division includes the Administrative Team, Liquor Distribution Unit, and Liquor Licensing Bureau. The Liquor Licensing Bureau is charged with all licensing and regulatory responsibilities for all entities intending to produce, import, distribute, or sell alcoholic beverages in Montana. Liquor licensing processes applications, renewals, transfers, and registrations for retail and wholesale alcoholic beverage licenses and permits. The bureau is responsible for monitoring the activities of existing licenses and permit holders and for providing information and explanation about licensing activity or related law, rule, policy, and procedures. The licenses include retail sale of distilled spirits, beer or wine, vendor permits, winery registrations, distributors, breweries, special beer and wine permits, and connoisseur's licenses.

Job Responsibilities

The Liquor Licensing and Compliance Specialist evaluates liquor license documentation and applicants to approve or deny applications for the manufacture, sale, and distribution of alcoholic beverages; monitors liquor license compliance; and administers program operations and support services to facilitate and document liquor licensing and compliance monitoring activities. The position reports to the Liquor Licensing Bureau Chief and does not supervise other staff.

- **Liquor Licensing 40%**

1. Provides licensing information to applicants and licensees to ensure they understand the licensing requirements and processes and to promote compliance with liquor control laws and division policies. This involves remaining current with legal and administrative requirements and explaining rights and requirements in a clear and understandable manner. Responds to written and verbal inquiries to explain the licensing processes and procedures including issues such as eligibility requirements, hearings, and providing information and application packets to applicants seeking licensure in the state.

2. Examines applications to determine if applicant and premises meet the qualifications for the manufacture, importation, sale, and distribution of alcoholic beverages. Ensures documentation is sufficient for application processing and that other requirements are met such as license availability in the quota area, determining if the proposed location is within 600 feet of a church or school, etc. Contacts applicants to remedy documentation or procedural deficiencies.
3. Prepares and publishes legal publications for license transfers, new licenses, and last available licenses. Coordinates the collection and consideration of public comment as it affects the license application. Monitors the publication of protest letters and coordinates protests with the Office of Dispute Resolution. Prepares informational letters for city commissions, chiefs of police, fire and health officials, and sheriffs to notify them of applications and to gather information regarding the applicant's compliance with various state and local codes.
4. Interviews and gathers factual evidence from applicants, licensees, and interested parties. Obtains documents related to the application or license; information from other agencies such as verifying that the facility meets building code and fire standards; and property ownership.
5. Examines complex financial documents, leases, corporate documents, partnership agreements, trusts, and probate documents for compliance with the Montana Alcoholic Beverage Codes and administrative rules.
6. Evaluates applications for new licenses including the investigative report, license transfers, and new managers to verify applicant eligibility to hold a liquor license by checking and verifying background information (financial stability, business history, bonding and insurance requirements, etc). Contacts other department staff and state and federal data banks to research possible undisclosed problems. Verifies application or transfer requirements have been met. Determines the eligibility of candidates, ensures fees have been paid, eligibility issues have been reviewed, and all forms are properly signed.
7. Initiates investigations through a memorandum of understanding with the Department of Justice, Gambling Control Division (DOJ) to gather information needed to process applications. This includes developing complaints or allegations, providing necessary information to DOJ auditors and investigators, and discussing findings as they relate to liquor licensing requirements.
8. Issues written decisions denying or approving liquor licenses based on review of applications, accompanying information, and investigation information in comparison to applicable laws, rules, and precedents. This includes issuing temporary operating licenses when appropriate.
9. Responds to inquiries and serves as a business expert on licensing and compliance programs to provide authoritative advice regarding initial processing of cases, procedural guidance, case status, and general information concerning the Montana Alcoholic Beverage Code.
10. Coordinates activities with other state agencies such as Commerce, Health and Human Services, Justice, Labor and Industry, Attorney General, and Secretary of State. Educates customers on registration requirements for the above-mentioned agencies.
11. Coordinates and conducts liquor license lotteries for on-premises consumption licenses due to census updates. Publishes the availability of additional licenses; reviews applications from interested parties; conducts legal research to ensure duplicate applications are not submitted under different names for the same entity; participates in drawings; notifies successful applicants; and maintains lists of alternate applicants.

- **Liquor License Compliance Monitoring 40%**

1. Monitors licensee status by reviewing reports, applications, and other business documentation to identify changes that may affect their liquor license status. Records secured party status when licensee creates debt by ensuring that if the secured party takes the license as collateral, the lien holder will be added to face of license, and takes action for any violations. Tracks bankruptcies, seizures, and other business actions through coordination with other departments and federal, state, and local officials.

2. Approves and monitors requests for non-use/inactive status including conducting an analysis for each 90-day period. At one year, an informal conference must be held in which the licensee has to provide additional information regarding the inactive status. Specialist may determine the license should be lapsed if information is insufficient to extend.
3. Reviews manager hiring agreements when new managers are hired to ensure compliance and no intent to defraud. Requests background checks on the manager to ensure they are able to comply with applicable rules and statutes.
4. Reviews floor plans and reasons for facility alterations provided by licensees and approves or denies plans based on administrative and statutory requirements. Ensures project is completed as represented and determines the final approval or denial of the project.
5. Follows up on complaints, allegations of illegal activity, inquiries regarding applicants, interested parties, and licensees. Initiates complaint investigations through a Memorandum of Understanding with the DOJ. Reviews investigation results and researches information about possible violations of the applicable statute or rules.
6. Coordinates and performs license revocations for undisclosed ownership, non-use or business closure, or other issues. Researches all background and supporting documentation and prepares reports.
7. Determines appropriate action(s) to be taken for a broad range of violations (2-3 weekly) in both applications and monitoring of existing licenses. Identifies and initiates notices of violations to licensees and initiates departmental response to the violation.
8. Works with Legal Services in representing the department in administrative and district court hearings. Provides background information and documentation, recommends enforcement strategies, and testifies in hearings as required. Represents the department if no attorney is present in Montana Administrative Procedures Act (MAPA) proceedings concerning appeals of violation decisions. Provides information and assistance to the bureau chief during scheduling and status conferences for MAPA proceedings. Assists attorney and bureau chief in gathering and compiling evidence and testimony at MAPA hearings.
9. Prepares settlement terms and monitors compliance with settlement agreements.
10. Certifies that license renewals are mailed prior to the renewal deadline. Verifies that all renewals are processed and issued accurately and efficiently. Evaluates license renewal applications for completeness, potential problems, and appropriate fees. Solves problems to facilitate the renewal process by researching lost licenses, address changes, returned undelivered licenses, and renewal forms.

- **Program Administration 15%**

1. Documents and maintains records of liquor licensing and compliance activities and agreements to provide a defensible legal record of activities, agreements, and compliance requirements. Compiles notes and logs, writes reports, updates databases, and maintains files.
2. Maintains liquor license quota statistics and monitors changes due to annexations, census changes, and administrative action. Apprises the bureau chief and division administrator of any changes in the availability of liquor licenses.
3. Creates and formulates procedures and suggests policy changes to management to improve operations within the work unit. Maintains statewide consistency for related policies, procedures, and requirements.
4. Researches, develops, and implements special liquor projects identified by management.
5. Drafts administrative rules as directed by management.

- **Other Duties as Assigned 5%**

1. Performs other duties as assigned by the supervisor.

Job Requirements

To perform successfully as a liquor licensing and compliance specialist, the incumbent must be self-motivated; possess a strong work ethic; maintain a positive attitude; and enjoy working with, and for, the

public. It is essential that the incumbent has the ability to reason deductively and recognize patterns and rules. Skills in multi-tasking; paying attention to details and accuracy; mathematics; providing timely and effective written, verbal, and interpersonal communication; analyzing problems and developing solutions; researching Montana Codes Annotated (MCA), Administrative Rules of Montana (ARM), and existing case law; negotiations; reviewing technical and legal documents; compiling data from multiple sources; and using word processing, spreadsheet, and database software programs are required. Incumbent is required to resolve conflicts and maintain accountability for actions. This position works with highly confidential financial and tax information and is required to maintain the highest level of confidentiality regarding all information acquired or used in performing this job.

This position requires knowledge of licensing practices; compliance monitoring; contract administration; administrative and legal procedures; auditing and investigation methods; technical writing; public relations; office administration, records management, and related administrative processes.

- The minimum level of education and job-related work experience needed as a new employee **on the first day** of work is a bachelor's degree in business administration, public administration, criminal justice, law enforcement, or related field and one year of job-related work experience.
 - Work experience should be made up of compliance or licensing, procurement and contract administration, or program administration.
 - Other combinations of education and experience will be evaluated on an individual basis.

Department Core Values

- **Respect:** As a representative of the people of Montana, proceeds with the highest level of respect for the dignity of every person contacted through work. Without exception, all people are treated as equally as possible. The employee is a faithful steward of the resources provided to this agency by the citizens of Montana.
- **Integrity:** Conducts work honestly and makes decisions that establish a clear record that the department serves the public with integrity. Apologizes for mistakes and gives credit to others for their cooperation, work, and ideas in achieving positive results. Accountable for their actions and holds others accountable for theirs. Decisions and judgments achieve equity and justice for all parties involved including citizens and co-workers.
- **Productivity:** Consistently strives to minimize the waste of the department's financial, facilities, and human resources. Diligently works to improve the productivity and effectiveness of the work unit. Welcomes and encourages new ideas on improving the results of the department from the public, other officials, colleagues, and supervisors. Approaches work in a manner that builds goodwill, trust, and cooperation internally with other staff and externally with the public.
- **Teamwork:** Maximizes cooperation and teamwork when working with other employees, divisions, and other state agencies. Willing to work with others for the opportunity to learn from their ideas, talents, and knowledge. Seeks to resolve conflicts with other employees and work units in an open and respectful manner that reinforces teamwork. Celebrates the successes of others.

Working Conditions

Must work under time constraints, be able to maintain numerous projects at one time, and determine priorities on a daily basis. The ability to work in an office setting with noise distractions and frequent interruptions is required. At times, the incumbent will deal with angry and difficult individuals to resolve concerns or bring about compliance with regulations. This may cause stressful work conditions. As a Department of Revenue employee, the incumbent may come into contact with highly confidential financial and tax information and is required to maintain the highest level of confidentiality regarding all information acquired or used in performing this job. This position requires computer and keyboard use. The incumbent spends a considerable time on the phone. Lifting is infrequent, less than 15 pounds and includes carrying light items such as papers and books. Work hours may exceed 40 hours per week from time to time. This job requires regular attendance as scheduled by the supervisor. This job cannot be performed at an alternate work site.

Special requirements

- Background Examination: Applicants for this position will be subject to a criminal background review before being considered for employment. Individual circumstances involving a criminal conviction will be reviewed to determine an applicant's eligibility for employment.
- Compliance with All Appropriate Montana Tax Laws: An employee's tax status must be current.

This job profile was produced by the Office of Human Resources in conjunction with the appropriate managers.

Division Administrator Review: The statements in this job profile are accurate and complete.

Signature: Shauna Helfert, Division Administrator Date: August 2010

Human Resource Director Review: The Office of Human Resources has reviewed this job profile.

Signature: JeanAnn Scheuer, Human Resources Director Date: August 2010

Employee: My signature below indicates I have read this job profile and discussed it with my supervisor.

Signature: _____ Date: _____

Name (print): _____